PTO/SB/01 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION EC	DECLARATION FOR UTILITY OR DESIGN		et Number	F-280		
			ventor	Zubok;		
PATENT APP		c	COMPLETE IF KNOWN			
(37 CFR		Application Nu	Application Number			
X Declaration	Declaration	Filing Date		3/6/2003		
Submitted OR with Initial	Submitted after Ini Filing (surcharge	Group Art Unit				
Filing	(37 CFR 1.16 (e)) required)	Examiner Nam	е			
As a below named inventor, I h	ereby declare that:					
My residence, mailing address, a	nd citizenship are as sta	ted below next to my nan	ne.			
I believe I am the original, first an names are listed below) of the su	d sole inventor (if only o bject matter which is cla	ne name is listed below) imed and for which a pat	or an original, fir ent is sought on	st and joint inventor (if plural the invention entitled:		
ŀ	Cervical I	Disc Replacement	t			
·						
	· (Title of t	the Invention)				
the specification of which						
X is attached hereto		•				
OR						
was filed on (MM/DD/YYYY)		as United St	ates Apolication	Number or PCT International		
,				, and a contract of the		
<u> </u>						
Application Number	and was a	amended on (MM/DD/YY	m[(if applicable).		
I hereby state that I have reviewed amended by any amendment spe-	d and understand the co	ntents of the above identi	fied specification	n, including the claims, as		
I acknowledge the duty to disclose in-part applications, material inform PCT international filing date of the	nation which became av	ailable between the filing	defined in 37 CF date of the prio	R 1.56, including for continuation- r application and the national or		
I hereby claim foreign priority ben- or plant breeder's rights certificati than the United States of Americ patent, inventor's or plant breeder application on which priority is claim	efits under 35 U.S.C. 11 e(s), or 365(a) of any P a, listed below and hav 's rights certificate(s), o	9(a)-(d) or (f), or 365(b) CT international applicative also identified below	tion which design	nated at least one country other		
Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?		
		(Intransport 1 1 1 1)	110t Ctallied	YES NO		
			H			
			H			

[Page 1 of 2]

Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

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DECLARATION — Utility or Design Patent Application

Direct all correspondence to: Customer N or Bar Code			OR	X Co	orrespondence a	address below		
Joseph P. Errico Name				•				
150 Douglas Road	•		•					
Address				······································	ı			
City Far Hills	·	Sta	nte NJ		ZIP ·	07931		
US Country	Telephone	917	7-373-5918		908 Fax	8-273-6136		
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.								
NAME OF SOLE OR FIRST INVENTOR:	NAME OF SOLE OR FIRST INVENTOR: A petition has been filed for this unsigned inventor							
Given Name Rafail (first and middle [if any])	l .		nily Name Surname		Zubok;			
Inventor's Signature Thurles	·/		7-y		Date 8	6/03		
Residence: City Midland Park,	State	NJ	Country	US	Citizenship	US		
Mailing Address	22 Spruce St	reet						
City Midland Park,	State	NJ	ZIP 0	7432	Country	US		
NAME OF SECOND INVENTOR:	A petition	has bee	n filed for the	his unsiç	gned inventor	r		
(first and middle [if any])	Antonio Family Name Valdevit:					,		
Inventor's Signature	Inventor's / / / /							
Residence: City Fishkill,	State N	VYY (Country	บร	Citizenship	CAN		
Mailing Address	1502 Max Wa	ay .	,					
City Fishkill,	State	VY .	125 ZIP	524	Country	US		
X Additional inventors are being named on the 1	_supplemental Ad	dditional In	ventor(s) shee	et(s) PTO/	SB/02A attache	d hereto.		

Please type a plus sign (+) inside this box —— [+
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F-280

Pto/sb/02A (11-00)

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DECLARATION

ADDITIONAL INVENTOR(S)
Supplemental Sheet
Page 1 of 1

Name of Additional Joint Inventor, if		A petition has been filed for this unsigned inventor					
Given Name (first and middle [if an	y]) .		Family Name or Surname				
Michael W.			Dudasik;				
Inv ntor's Signature Alastea Co	>	-	Date 3/6/03				
Residence: City Nutley,	sidence: City Nutley, State NJ		Country US			Citizenship US	
Mailing Address 29 Daily Street							
Mailing Address							
City Nutley,	State	NJ	ZiP	07110	Countr	y US	
Name of Additional Joint Inventor, if a	ny:	[A petition	n has been filed	for thi	s unsigned inventor	
Given Name (first and middle [if an	y])			Family Nam	e or S	umame	
Joseph P.		٠,			En	rico	
Inventor's Signature		_	Date 3/6/63				
Residence: City Greenbrook,	State	e NJ	US		Citizenship US		
Mailing Address		29 D	eer Path	Circle			
Mailing Address							
City Greenbrook,	Greenbrook, State		ZIP	08812	Cou	US .	
Name of Additional Joint Inventor, if any:						unsigned inventor	
Given Name (first and middle [if any])			Family Name or Surname				
Inventor's Signature	·		T			Date	
Residence: City	State		Country Citizenship				
Mailing Address							
Mailing Address					1		
City	State		ZIP	•	Co	ountry	

Burden Hour Statement: This form is estimated to take 21 minutes to complete. Time will vary depending upon the needs of the Individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Docket No.: 532/2 (F-280)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Zubok et al.

Application No.: 10/382,702

Group Art Unit: 3738

Filed: March 6, 2003

Examiner: Not Assigned

For: CERVICAL DISC REPLACEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

In the matter of the above-identified application, enclosed please find:

- Substitution of Attorneys Pursuant to 37 C.F.R. § 1.36; and 1.
- 2. Consent of Assignee 37 C.F.R. § 3.73(b).

Dated: February 6, 2004

Respectfully submitted,

Matthew B. Dernier

Registration No.: 40,989

KAPLAN & GILMAN, LLP 900 Route 9 North, Suite 104

Woodbridge, New Jersey 07095

(732) 634-7634

Attorney for Applicant

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P/P. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Docket No.: 532/2 (F-280)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Zubok et al.

Application No.: 10/382,702

Group Art Unit: 3738

Filed: March 6, 2003

Examiner: Not Assigned

For: CERVICAL DISC REPLACEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

SUBSTITUTION OF ATTORNEYS PURSUANT TO 37 C.F.R. § 1.36

Dear Sir:

We hereby appoint the following practitioners as our attorneys to prosecute the application and to transact all business in the United States Patent and Trademark Office connected therewith: Joseph P. Errico (Reg. No. 38,131); Timothy J. Bortree (Reg. No. 43,506); Jeffrey I. Kaplan (Reg. No. 34,356); Michael R. Gilman (Reg. No. 34,826); Timothy X. Gibson (Reg. No. 40,618); and Matthew B. Dernier (Reg. No. 40,989).

All future correspondence should be forwarded to:

KAPLAN & GILMAN, L.L.P., 900 Route 9 North, Woodbridge, New Jersey 07095 telephone (732) 634-7634)

We are the assignee of record of the entire interest and therefore have the right to take action in the above-identified application. A Statement under 37 C.F.R. § 3.73(b) is enclosed.

Date

Joseph P. Errico CEO, SpineCore, Inc.

Docket No.: 532/2 (F-280)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Zubok et al.

Application No.: 10/382,702

Group Art Unit: 3738

Filed: March 6, 2003

Examiner: Not Assigned

For: CERVICAL DISC REPLACEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

CONSENT OF ASSIGNEE 37 C.F.R. § 3.73(b)

Dear Sir:

Pursuant to 37 C.F.R. § 3.73, I, Joseph P. Errico, being an officer of SpineCore, Inc., the Assignee of the above-identified patent application by way of assignment (reel/frame 013849/0592), hereby consent to a substitution of all previous powers of attorney and to the appointment of new attorneys in the above-identified patent application.

Date

Joseph P. Errico

CEO, SpineCore, Inc.

೨ocket Number (Optional) ASSIGNMENT OF APPLICATION F-280 Whereas, I/We, Rafail Zubok; of Midland Park, NJ hereafter referred to as applicant, have invented certain new and useful improvements in _____ Cervical Disc Replacement for which an application for a United States Patent was filed on _____ Application Number____/ for which an application for a United States Patent was executed on ______ 3/6/2003 SpineCore, Inc. Summit, NJ herein referred to "assignee" whose mailing address is 447 Springfield Avenue, Summit, NJ 07931 is desirous of acquiring the entire right, title and interest in the same; Now, therefore, in consideration of the sum of one dollar (\$1.00), the receipt whereof is acknowledged, and other good and valuable consideration, I/We, the applicant(s), by these presents do sell, assign, and transfer unto said assignee the full and exclusive right to the said invention and the entire right, title and interest in and to any and all Patents which may be granted therefor. I/We hereby authorize and request that said Patent be issued to said assignee, of the entire, right, title and interest in and to the same, for his sole use and behoof, and for the use and behoof of his legal representatives, to the full end of the term for which said Patent may be granted, as fully and entirely as the same would have been held by me had this assignment and sale not been made. Executed this _____day of _____ Midland Park, NJ State of _____ (\$ignature) County of Before me personally appeared said and acknowledged the foregoing instrument to be his free act and deed this _____ Seal (Notary Public) Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, See below*.

* ☑ Total of

forms are submitted.

Α	1	Docket Number (Optional) F-280			
Whereas, I/We, _	Anto	nio Valdevit;	_of	Fishkill, NY	hereafter
referred to as app	olicant, have inve	nted certain new a	nd useful improvemen	nts in	
		Cervical Disc	Replacement	-	
for which an a	application for a t	United States Pate	nt was filed on		
X for which an a	application for a L	Inited States Pater	nt was executed on _	3/6/2003	, and
Whereas,	SpineCore, Inc.	· of	Summ	nit NI ,	
to "assignee" whos	e mailing addres	sis 447 Sprin	Sumn gfield Avenue,	Summit, NI 07	erein referred 931 is
desirous of acquiri	ng the entire righ	t, title and interest	in the same;		<u> </u>
which said Patent rassignment and sa	le not been made	es ruily and entirely e.	s legal representatives y as the same would h	nave been held by	me had this
at	Fishkill NY	uay 0/	14121(11	, 20	
State of			-0	MA	
County of Before me personal and acknowledged to day of	ly appeared said	rument to be his fr	ee act and deed this _	(Signature)	
Before me personal and acknowledged t day of	ly appeared said	rument to be his fr			
Before me personal and acknowledged t day of Seal	lly appeared said the foregoing inst	rument to be his fr	ee act and deed this _	(Notary Pu	
Before me personal and acknowledged t day of Seal	lly appeared said the foregoing inst, 20	rument to be his fr		(Notary Pu	

	ASSIGNMENT	Docket Number	280		
Whereas, I/We	,Micha	nel W. Dudasik;	_of1	Nutley, NJ	hereafter
referred to as a	pplicant, have inv	ented certain new a	otand useful improvemer	nts in	,nerealter
	· · · · · · · · · · · · · · · · · · ·	Cervical Dis	c Keplacement		
for which a	n application for a Number/	United States Pate	ent was filed on		
X for which ar	n application for a	United States Pate	nt was executed on	3/6/2003	, and
Whereas, to assignee who	SpineCore, Inc	c. of	Summ ngfield Avenue,	it, NJ	herein referred
desirous of acou	iring the entire rich	ht, title and interest	in the semi-	Summit, NJ 0	7931 is
interest in and to	any and all Paten	is which may be e-			
which said Patent assignment and s	be issued to said a oof, and for the us t may be granted, sale not been mad	assignee, of the ent se and behoof of hi as fully and entirel	therefor. I/We hire, right, title and inters s legal representatives y as the same would h	ereby authorize a rest in and to the	and request same, for his
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ASSI	GNMENT OF A	Docket Number (Optional)		
7.00.		TEIOATION	F	-280
Whereas, I/We,	Joseph P. Erric	of	Greenbrook, NJ	.hereafter
referred to as applicar	nt, have invented o	ertain new and useful imp	rovements in	
•		Cervical Disc Replacement		
for which an applic	cation for a United	States Patent was filed on	· · · · · · · · · · · · · · · · · · ·	
Application Number	er/			
		States Patent was execute	ed on 3/6/2003	3, and
Whereas,Spi	neCore, Inc.	of	Summit, NJ	hamin as f
to assignee whose ma	ailing address is _	ofof447 Springfield Avenue	Summit, NJ (nerein referred 07931 is
		and interest in the same;		
Many therefore	••	; ;		
transfer unto said assig interest in and to any ar that said Patent be issu sole use and behoof, ar	nee the full and ex nd all Patents which ed to said assigne nd for the use and be granted, as full to been made.	m of one dollar (\$1.00), the We, the applicant(s), by the colusive right to the said in the may be granted therefor e, of the entire, right, title a behoof of his legal represe and entirely as the same	ese presents do sell, assivention and the entire right in a life in the entire right. I/We hereby authorize and interest in and to the entatives, to the full end would have been held be a life in the entatives.	ign, and Int, title and and request same, for his of the term for by me had this
at Green	nbrook. NI	ay of Marc	<u>n</u> , 20	
State of			(Signature)	
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County ofBefore me personally ap)			
Before me personally ap	peared said	of to be his free act and do	od this	
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Before me personally ap and acknowledged the fo day of	peared said pregoing instrumer, 20 tors or assignees of re	COID of the entire interest or their	(Notary F	Public)